



#7

S/N 09/800,215

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Yu-Chiang CHENG	Examiner:	Vu, Q.
Serial No.:	09/800,215	Group Art Unit:	2841
Filed:	March 6, 2001	Docket No.:	8688.222US01
Title:	MULTI-LAYER CIRCUIT BOARD		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV037620501US
Date of Deposit: March 6, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By: *John Junkers*
Name: Chris Stordahl John Junkers

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c) TO OBVIATE
A DOUBLE PATENTING REJECTION

RECEIVED

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

TECHNOLOGY CENTER
SPECIAL PROGRAM CENTER

Petitioner, MITAC INTERNATIONAL CORP., a corporation organized and existing under the laws of the Country of TAIWAN and having its primary place of business at Hsinchu Hsien, TAIWAN, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/800,215, filed on March 6, 2001 and entitled MULTI-LAYER CIRCUIT BOARD, by virtue of our assignment recorded at Reel 011596, Frame(s) 0828. Attached herewith is a Certificate under 37 C.F.R. § 3.73(b) establishing MITAC INTERNATIONAL CORPORATION's right as assignee to take action.

Petitioner, MITAC INTERNATIONAL CORP., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term any patent

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TERMINAL DISCLAIMER
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JUN 17 2002
JC 2800 MAIL ROOM

granted on U.S. Patent Application Nos. 09/799,900; 09/800,408; 09/800,409; and 09/800,412 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on U.S. Patent Application Nos. 09/799,900; 09/800,408; 09/800,409; and 09/800,412, this agreement to run with any patent granted on the above-identified applications and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimers of United States Patent Application Nos. 09/799,900; 09/800,408; 09/800,409; and 09/800,412, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

X Date: May 23, 2002

X By James C. Yuen
X Name: James C. Yuen
X Title: Vice President / General Counsel



DATE:

8/6/02

APPL. S.N.:

09/800,215

TO: EXAMINER

Mr. Q. Alcala, Jose

ART UNIT:

2847 2827

FROM:

Macaluso, Jo

PARALEGAL SPECIALIST

RETURN THIS MEMO TO: CP4-6D28

SUBJECT: Decision on Terminal Disclaimer (T.D.) filed:

6/6/02

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE.

- ☒ The T.D. is PROPER and has been recorded (see ¶ 14.23).
- ☐ The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24):
- ☐ The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account (see ¶ 14.26.07).
 - ☐ The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see ¶¶ 14.26 & 14.26.01).
 - ☐ The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see ¶ 14.27.01).
 - ☐ The T.D. is directed to a particular claim(s), which is not acceptable since “the disclaimer must be for a terminal portion of the term of the entire patent to be granted” (MPEP 1490) (see ¶¶ 14.26 & 14.26.02).
 - ☐ The person who signed the T.D.:
 - ☐ is not an attorney “of record” (see ¶¶ 14.29 and 14.29.01).
 - ☐ has failed to state his/her capacity to sign for the business entity (see ¶ 14.28).
 - ☐ is not recognized as an officer of the assignee (see ¶¶ 14.29 & possible 14.29.02).
 - ☐ No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶ 14.30).
 - ☐ The T.D. is not signed (see ¶¶ 14.26 & 14.26.03).
 - ☐ The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ 14.32).
 - ☐ The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.05).
 - ☐ The period disclaimed is incorrect or not specified (see ¶¶ 14.26, 14.27.02 or 14.26.03).
 - ☐ Other:
 - ☐ Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

Have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.